THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24736 OF 2005

DATED:21.11.2005

Between:

Chirukuri Papaiah

and another

…Petitioners

And

The District Collector, Ongole, Prakasham District

and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24736 OF 2005

ORDER:

The petitioners are residents of Mukthinutalapadu Village of Ongole Mandal, Prakasam District. It appears, there is a polimera donka serving Mandavaripalem, Mukthinutalapadu and Ongole Rural villages. The residents of these three villages gave a representation to the District Collector on 8.8.2005 informing that some persons tried to construct houses on the donka denying the right of pathway to various persons. They requested the respondents to take necessary action in the matter, in vain. Therefore, present Writ Petition is filed seeking a direction to prevent the encroachment of polimera donka.

After hearing the learned counsel for the petitioner and the learned Assistant

Government Pleader for Revenue (General), this Court is of considered opinion that polimera donka is essentially intended for being used as pathway and the same cannot be alienated or assigned for the purpose of agriculture or construction of houses. If there are any attempts by other persons to occupy the polimera donka, it is the duty of the revenue officials to prevent such encroachment as otherwise people will be deprived of their right to use donka. The respondents 1 to 3 may inspect the polimera donka serving three villages immediately and take appropriate decision on the representation given on behalf of residents of the three villages within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition with the above observations and directions is accordingly disposed of.

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(V.V.S.RAO, J)

21.11.2005

bnr

Note:CC by 23.11.2005.

(B.O)

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